REMARKS/ARGUMENTS

All claims 1-23 stand rejected under 35 U.S.C. § 103(a). Claims 5 and 6 have been amended according to the Examiner's suggestion. Claim 1 has been amended according to the Examiner's suggestion and to clarify that the claimed process is directed to recovering a valuable metal from a leach liquor obtained by leaching laterite ores and concentrates, and the claims are not directed to the leaching process itself. Support for the amendment in claim 1 can be found at least at page 1 lines 3-12 and page 2 lines 20-25 of the specification.

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatch et al. (U.S. 4,410,498) in view of Lussiez et al. (U.S. 4,547,348). The Examiner states that Hatch discloses a process for recovering valuable metals from lateritic ores contaminated with iron. Applicant respectfully disagrees that Hatch discloses a process for recovering valuable metals from lateritic ores contaminated with iron. The process disclosed in Hatch is directed to a process to form a leach liquor. (Hatch at col. 3, lines 10-14.) In particular, the process disclosed in Hatch results in two separate fractions (i.e. leach liquors), namely a high iron-bearing limonitic fraction and a high magnesia-bearing serpentinic fraction. (*Id.*) Hatch, however, teaches the use of "conventional liquid-solid separation methods" to form liquor that is further treated by "conventional metal recovery processes to win the nickel and cobalt contained therein." (Hatch at col. 5, lines 30-34.) In other words, Hatch is not directed to the downstream processing of leach liquors to recover valuable metal from the liquors. In contrast, the present invention provides a process for extracting valuable metals such as nickel and cobalt after a leach liquor has been obtained by using a process such as the one disclosed in Hatch. Accordingly, Hatch fails to teach each element of the process of the present invention.

The Examiner notes that Hatch does not disclose or otherwise teach using seed particles. The Examiner, however, states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to add seed particles to the solution of Hatch in view of Lussiez. The applicant respectfully disagrees. As described above, Hatch does not teach the process of the present invention. At most, the combination of Hatch and Lussiez would only teach a process to obtain leach liquors that require further treatment to extract high yields of cobalt and/or nickel. Therefore, the combination of Hatch in view of Lussiez does not disclose the process of the present invention.

Therefore, the Hatch reference fails to teach the process of the present invention, either alone or in combination with Lussiez. At least for these reasons, independent claim 1 and the remaining claims dependent on claim 1, including claims 2-23, are patentable.

For the foregoing reasons, claims 1-23 are patentable. Applicant respectfully requests that a Notice of Allowance be issued in this case.

Respectfully submitted,

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/Gilberto E. Espinoza/

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